

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

MAD DOGG ATHLETICS, INC., §
§
Plaintiff, §
§
v. § CIVIL ACTION NO. 2:20-CV-00382-JRG
§
PELOTON INTERACTIVE, INC., §
§
Defendant. §
§

ORDER

Before the Court is Defendant Peloton Interactive, Inc.’s (“Peloton”) Motion for Limited Relief from Protective Order (the “Motion for Limited Relief”) and Opposed Motion to Expedite Briefing on Defendant’s Motion for Limited Relief from Protective Order (the “Motion to Expedite Briefing”). (Dkt. No. 128 and 129).

Previously, Peloton filed its Motion to Compel Regarding Mad Dogg’s Concealment of Claims from the Bankruptcy Court (Motion No. 1) (the “Concealment Motion”). (Dkt. No. 97). Peloton also previously filed its Opposition to Mad Dogg’s Motion to Stay Proceedings (the “Opposition”). (Dkt. No. 118). Pelton now requests leave from the protective order to submit under seal to the Bankruptcy Court only the materials discussed in or attached to the Concealment Motion and the Opposition (the “Discovery Materials”). (Dkt. No. 128 at 1).

Peloton alleges that the Discovery Materials are relevant to Plaintiff Mad Dogg Athletics, Inc.’s Motion for Appointing Independent Fiduciary filed in *In re Mad Dogg Athletics, Inc.*, Case No. 2:19-bk-18730-WB (Bankr. C.D. Cal.) (the “Bankruptcy Proceeding”).

Having considered the Motion for Limited Relief, the Court **ORDERS** that it is **GRANTED-AS-MODIFIED**. The Court grants Peloton limited relief from the protective order

to submit only the materials discussed in or attached to the Concealment Motion and the Opposition to the Bankruptcy Court for an *in camera* review by the U.S. Bankruptcy Court for the Central District of California as a part of case number 2:19-bk-18730-WB. To the extent that the Bankruptcy Court accepts and considers Peloton's filing and believes further relief from this Court's protective order is necessary, such additional relief may be sought at that time.

Peloton's Motion for Limited Relief raises Mad Dogg's assertion that Peloton lacks standing to submit a statement in the Bankruptcy Proceeding. (Dkt. No. 128 at 8). The Court declines to act on this issue and defers any decision on such to the capable hands of the Bankruptcy Court.

Further, considering this ruling on the Motion for Limited Relief, the Court **DENIES AS MOOT** the Motion to Expedite Briefing.

So ORDERED and SIGNED this 2nd day of September, 2021.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE